

## REPORTS ANALYSIS DIVISION REFERRAL

TO

## OFFICE OF GENERAL COUNSEL

DATE: June 6, 2017

ANALYST: Sarah Juris

- I. COMMITTEE: Reform America Fund  
C00581934  
Lorri Pickens, Treasurer  
N4298 12 Corners Rd.  
Black Creek, WI 54106
- II. RELEVANT STATUTE: 52 U.S.C § 30104(g)(1)  
11 CFR § 104.4(c)

## III. BACKGROUND:

**Failure to Provide Supporting Schedules (Failure to File 24-Hour Reports)**

Reform America Fund ("the Committee") failed to file two (2) 24-Hour Reports totaling \$1,044,256.46 to support two (2) independent expenditures disclosed on the 2016 30 Day Post-General Report, made after the 20<sup>th</sup> day, but more than 24 hours before the 2016 General Election (Attachment 2).

On December 7, 2016, the Committee filed the 2016 30 Day Post-General Report, covering the period from October 20, 2016 through November 28, 2016, which included a Schedule E (Itemized Independent Expenditures) disclosing twenty-two (22) independent expenditures totaling \$2,553,266.92 made in opposition to two (2) federal candidates. The Committee failed to file two (2) 24-Hour Reports to support two (2) independent expenditures totaling \$1,044,256.46 for the 2016 General Election (Image 201612079037718555-65).

On March 5, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the 2016 30 Day Post-General Report. Among other items, the RFAI noted that the Committee may have failed to file one or more of the required 24-Hour Reports for independent expenditures disclosed on the report. A chart was included with the RFAI which identified two (2) independent expenditures, totaling

\$1,044,256.46, for which 24-Hour Reports had not been filed (Image 201703050300081876-78).

On April 6, 2017, Lorri Pickens, the Committee's Treasurer, called the Reports Analysis Division (RAD) Analyst regarding the RFAI referencing the 2016 30 Day Post-General Report. Ms. Pickens asked how to resolve the issue regarding the 24-Hour Reports that had not been filed. The RAD Analyst recommended that she verify that all relevant reports had been filed and advised her that any additional clarification could be provided on the public record (Attachment 3).

On April 10, 2017, the Committee filed an Amended 2016 30 Day Post-General Report. The amended report disclosed no changes in independent expenditure activity from the original report (Image 201704109052053105-15).

On April 19, 2017, the RAD Analyst left a voicemail for Ms. Pickens, asking that she return the call.

Later that day, Ms. Pickens returned the RAD Analyst's call. The RAD Analyst explained that the Committee could be referred for potential further action by the Commission due to the Committee's failure to file 24-Hour Reports for independent expenditures disclosed on the 2016 30 Day Post-General Report. Ms. Pickens stated that she believed a response had been provided by a compliance consultant to address the issue. The RAD Analyst noted that an Amended 2016 30 Day Post-General Report, received April 10, 2017, had been filed, but did not address the missing 24-Hour Reports. The RAD Analyst further explained that not much could be done to remedy the missing reports because they had not been filed in a timely manner. The RAD Analyst advised that an additional amendment or Miscellaneous Electronic Submission ("FEC Form 99") could be filed to provide further clarification about the missing 24-Hour Reports on the public record. Ms. Pickens said she understood and that she would look into filing a statement (Attachment 3).

On April 20, 2017, Paul Kilgore, the Committee's compliance consultant, called to follow-up on the RAD Analyst's previous conversation with Ms. Pickens. He said that memo text should have been attached to the Amended 2016 30 Day Post-General Report, received April 10, 2017, to explain the missing 24-Hour Reports referenced in the RFAI, but was inadvertently omitted. Mr. Kilgore stated that an FEC Form 99 would be filed to provide further clarification (Attachment 3).

On April 21, 2017, the Committee filed an FEC Form 99 in response to the RFAI referencing the 2016 30 Day Post-General Report, which stated:

"When the issue regarding the 24 hour report was brought to our attention we began an internal review. We were able to confirm dozens of 24 hour reports containing over six million dollars in expenditures. The committee clearly had a system in place to report these expenditures in a timely manner, to be transparent and make the public record complete. It appears the report in question is an exception. The committee plan to redouble its

efforts in this area to ensure this doesn't happen again" (Image 201704219052405999).

To date, no further communications have been received from the Committee regarding this matter.

O-Index (2017-2018)																
Cmte. ID: C00581934 Cmte. Name: REFORM AMERICA FUND																
Treasurer Name: PICKENS, LORRI Address: N4298 12 CORNERS RD, BLACK CREEK, WI 54106-8100																
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER																
Form Tpl	Rpt Tp	Alt	Receipt Dt	Pgs	Begin Img#	End Cvg Dt	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-M			1/18/2017	1	201701189041414257											
MS-O			1/24/2017	2	201701240300976079											
MS-T			4/21/2017	1	201704219052405999											
Totals										\$0	\$0	\$0	\$0	\$0	\$0	\$0

O-Index (2015-2016)																
Cmte. ID: C00581934 Cmte. Name: REFORM AMERICA FUND																
Treasurer Name: PICKENS, LORRI Address: N4298 12 CORNERS RD, BLACK CREEK, WI 54106-8100																
Cmte. Type: O (INDEPENDENT EXPENDITURE-ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER																
Form Tpl	Rpt Tp	Alt	Receipt Dt	Pgs	Begin Img#	End Cvg Dt	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Receipts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-M			2/24/2016	1	201602249000621191											
MS-O			2/29/2016	2	201602293000388866											
RO7	YE		2/19/2016	2	201602200300037493											
RO2	30G	N	3/5/2017	3	201703050300081876	10/20/2016	7/24/2015	9/30/2015	2/19/2016							
F3N	YE	N	1/31/2016	10	201601319005233875	10/1/2015	10/1/2015	12/31/2015	3/5/2017							
F3XA	YE	A	2/8/2016	12	201602089008450221	10/1/2015	10/1/2015	12/31/2015		\$0	\$28,592	\$16,265	\$12,326			\$0
F3XN	YE	A	2/24/2016	11	2016022490008621400	7/24/2015	7/24/2015	12/31/2015		\$0	\$28,592	\$16,265	\$12,326			\$0
F3XN	M2	N	2/19/2016	7	201602199008502419	1/1/2016	1/1/2016	1/31/2016		\$12,410	\$750	\$4,357	\$8,803			\$0
F3XN	M3	N	3/20/2016	6	201603209011928245	2/1/2016	2/1/2016	2/29/2016		\$8,303	\$0	\$250	\$8,053			\$0
F3XN	M4	N	4/20/2016	6	201604209014503665	3/1/2016	3/1/2016	3/31/2016		\$8,303	\$40	\$940	\$7,403			\$0
F3XN	M5	N	5/20/2016	6	201605209015553854	4/1/2016	4/1/2016	4/30/2016		\$7,153	\$0	\$250	\$6,903			\$0
F3XN	M6	N	6/20/2016	6	201606209019069629	5/1/2016	5/1/2016	5/31/2016		\$6,903	\$0	\$250	\$6,653			\$0
F3XN	M7	N	7/20/2016	6	201607209021921752	6/1/2016	6/1/2016	6/30/2016		\$6,653	\$0	\$250	\$6,403			\$0
F3XN	M8	N	8/20/2016	6	201608209022842434	7/1/2016	7/1/2016	7/31/2016		\$6,403	\$0	\$250	\$6,153			\$0
F3XN	M9	N	9/20/2016	7	201609209032014573	8/1/2016	8/1/2016	8/31/2016		\$6,153	\$50,000	\$262	\$55,891			\$0
F3XA	M10	N	10/27/2016	11	201610279034488686	9/1/2016	9/1/2016	9/30/2016		\$55,891	\$1,685,320	\$1,723,095	\$18,115			\$0
F3XA	12G	A	4/10/2017	11	201704109052052873	9/1/2016	9/1/2016	9/30/2016		\$55,891	\$1,685,320	\$1,723,095	\$18,115			\$0
F3XA	12G	N	10/27/2016	17	201610279036715278	10/1/2016	10/1/2016	10/19/2016		\$18,115	\$4,093,812	\$3,862,977	\$248,950			\$0
F3XA	30G	A	4/10/2017	17	201704109052052913	10/1/2016	10/1/2016	10/19/2016		\$18,115	\$4,093,812	\$3,862,977	\$248,950			\$0
F3XA	30G	N	12/7/2016	25	201612079037718541	10/20/2016	10/20/2016	11/28/2016		\$248,950	\$3,127,390	\$3,285,827	\$90,512			\$0
F3XA	30G	A	4/10/2017	25	201704109052053091	10/20/2016	10/20/2016	11/28/2016		\$248,950	\$3,127,390	\$3,285,827	\$90,512			\$0
F3XA	YE	N	1/18/2017	9	201701189041413602	11/29/2016	11/29/2016	12/31/2016		\$90,512	\$14,000	\$94,559	\$9,952			\$0
F24N	48	A	9/21/2016	1	201609219032063795			12/31/2016		\$90,512	\$14,000	\$94,559	\$9,952			\$0
F24N	48		9/29/2016	1	201609299032146597											
F24N	24		10/21/2016	1	201610219034500702											
F24N	48		10/18/2016	2	201610189033026932											
F1N			7/24/2015	5	201507249000415818											
F24N	48	N	10/13/2016	1	201610139032421380											
F24N	48		10/4/2016	2	201610049032165291											
F24N	48		10/11/2016	1	201610119032235833											
F24N	24		10/30/2016	3	201610309037009169											
F24N	24		10/28/2016	1	201610289037005501											
F24A	24		11/1/2016	3	201611019037017202											

Form Tpl	Rpt Tp	AI	Receipt Dt	Pgs	Begin Img#	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
F24A	24		11/3/2016	4	201611039037112287									
F24N	24		11/2/2016	4	201611029037018434									
F24N	24		10/27/2016	1	201610279036685128									
F24N	24		10/25/2016	1	201610259034576579									
<b>Totals</b>											\$9,028,596	\$9,005,817		

O-Index (2013-2014)  
 Cmte. ID: C00581934 Cmte. Name: REFORM AMERICA FUND  
 Treasurer Name: PICKENS, LORRI Address: N4298 12 CORNERS RD, BLACK CREEK, WI 54106-8100  
 Cmte. Type: O (INDEPENDENT EXPENDITURE ONLY COMMITTEE) Cmte. Designation: U (UNAUTHORIZED) Filing Frequency: QUARTERLY FILER

No records were found for this cycle.

**Reform America Fund (C00581934)**

2016 30 Day Post-General Report, received December 7, 2016

24-Hour Reports Not Filed

Name of Payee	Date of Dissemination (Schedule E)	Expenditure Amount	Candidate Supported/Opposed	Election
Nonbox	10/31/2016	<b>\$522,128.23</b> <i>24-Hour Report Required</i>	Clinton, Hillary Rodham	2016 General
Nonbox	10/31/2016	<b>\$522,128.23</b> <i>24-Hour Report Required</i>	Feingold, Russ	2016 General
	<b>Total</b>	<b>\$1,044,256.46</b>		